

Notice of Allowability

Application No.

09/651,770

Examiner

Tuan V Ho

Applicant(s)

HIGUCHI ET AL.

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the remarks filed on 9/2/04.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☒ The drawings filed on 15 July 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date three copies
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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1. Applicant's election of the species of Figure 1, claims 1-4 in the reply filed on 9/2/04 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. This application is in condition for allowance except for the presence of claims 5-31 non-elected without traverse.

Accordingly, claims 5-31 have been cancelled.

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 5-31 are canceled by the examiner as discussed above.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Taniguchi et al discloses a still video camera that includes an erasing and protecting circuit.

Arai et al discloses an electronic camera that comprises a frame memory.

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Miyazawa discloses an electronic camera that having a multiple storage devices.

5. Claims 1-4 are allowed.

The prior art of record fails to suggest or disclose:

With regard to claim 1, an electronic camera comprising instructing means for instructing said recording means to abort recording on the recording medium of the image data stored in said temporary storage means or for instructing said erasing means to erase the image data recorded on the recording medium; and control means for controlling said image display means to display thereon the image based on the image data stored in said temporary storage means for a predetermined period of time after capturing, for controlling said recording means to abort recording on the recording medium of the image data stored in said temporary storage means when an instruction is given from said instructing means while said recording means is recording the image data on the recording medium, and for controlling said erasing means to erase the image data recorded on the recording medium when an instruction is given from said instructing means after said recording means has recorded the image data on the recording medium.

With regard to claim 2, an electronic camera comprising instructing means for instructing said recording means to abort

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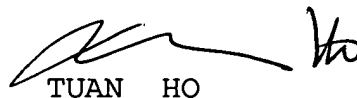
recording on the recording medium of the image data stored in said temporary storage means or for instructing said erasing means to erase the image instructing means data recorded on the recording medium; image display means for displaying an image based on the image data; and control means operative when said recording means is recording the image data on the recording medium for controlling said image display means to display thereon the image based on the image data stored in said temporary storage means and controlling said recording means to abort recording the image data stored in said temporary storage means on the recording medium in response to an instruction from said instructing means, and operative when said recording means has recorded the image data on the recording medium for controlling said image display means to display thereon the image based on the image data recorded on the recording medium for a period of time provided for displaying the image and controlling said erasing means to erase the image data recorded on the recording medium in response to an instruction from said instructing means.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO whose telephone number is (703) 305-4943. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Thai Tran can be reached on (703) 305-4725. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



TUAN HO

Primary Examiner

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